

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-38 are currently being prosecuted. The Examiner is respectfully requested to reconsider his restriction requirement in view of the amendments and remarks as set forth hereinbelow.

ELECTION OF CLAIMS

The Examiner has set forth a restriction requirement with regard to claims 1-15. The grouping of the claims is set forth as follows:

<u>GROUP</u>	<u>CLAIMS</u>	<u>CLASSIFICATION</u>
I	1-36	Class 427, Subclass 100
II	37	Class 428, Subclass 1+
II	38	Class 361, Subclass 1+

In order to be responsive to the Examiner's restriction requirement the Applicants have elected Group I, claims 1-36 for initial examination. However, it is respectfully submitted that the restriction requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

In addition to the above reasons to consider all of the claims in a single application, as set forth in Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

The Applicants respectfully submit that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. In order to be responsive to the Examiner's restriction requirement, claims 1-36 have been initially elected. The Examiner is respectfully requested to reconsider his restriction requirement and election of species requirement and act on all of the claims in the present application. If the Examiner does persist in his restriction requirement, the Applicants reserve the right to file a divisional application directed to claims 37 and 38 at a later date if they so desire.

Favorable action on the present application is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (Direct Line).


Application No.: 10/680,229
Reply dated February 16, 2007
Reply to Restriction Requirement dated January 16, 2007

Docket No.: 4249-0112P
Art Unit: 1762
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Please charge any fees or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to
Deposit Account No. 02-2448.

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Respectfully submitted,

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